

AW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,888	06/20/2001	Seiji Tanaka	MAT-8152US	4515

7590 11/02/2005
RATNER AND PRESTIA
 One Westlakes, Berwyn, Suite 301
 P.O. Box 980
 Valley Forge, PA 19482-0980

EXAMINER

BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/885,888	Applicant(s) TANAKA ET AL.	
	Examiner Michael Burleson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,7-9,14,15 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7-9,14,15 and 18-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sakakibara US 4900902 in view of Tanaka Yoshiyuki et al. JP 2000-112824.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,5,7-9,14,15,18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakibara US 4900902 in view of Tanaka Yoshiyuki et al. JP 2000-112824.

Regarding claim 1, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting

Art Unit: 2626

and receiving data through a communication line. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received in said communication input and output unit through the communication line. He teaches of a control and display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in said data memory unit. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment, based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1). This reads on an input selector for selecting data to be stored in the memory card from data once stored in said data memory unit and transferring the data to the memory card. Sakakibara teaches of a main control unit (60) that encodes or decodes image data (column 2, lines 27-35), which reads on a data format transform unit for transforming a data into an applicable format if the data received in said facsimile apparatus is not accessible to the memory card.

Sakakibara fails to teach of the memory card is a copy-right protected memory card.

Yoshiyuki et al. teaches of a copy-right flash memory card (page 3, paragraph 0020), which reads on the memory card is a copy-right protected memory card.

Art Unit: 2626

1. Sakakibara could have been modified with the copy-right protected flash memory card of Yoshiyuki et al. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to protect stored image and data of the memory card.

Regarding claim 2, Sakakibara teaches that when the memory card is not present, a display, "INSERT CARD, PLEASE" (column 3, lines 33-42), which reads on when the memory card is not installed in said memory card input and output unit, it is recognized by said control unit, "Not installed" is displayed in said display unit.

Regarding claim 3, Sakakibara teaches that when the memory card is installed, data is read and written to the memory card (figure 3A(b)), which reads on in the case of input of transfer of data from said input selector, if the memory card is not installed in said memory card input and output unit, when the memory card is installed and it is recognized by said control unit, the data to be transferred is transferred into the memory card.

Regarding claim 7, Sakakibara teaches of a main control unit (60) that controls the facsimile apparatus using a modem (90) (column 2, lines 27-30 and 42-43 and figure 1), which reads on a data format transform unit for transforms the data stored in the memory card into a data format to be transmitted by a facsimile, and the transformed data is transmitted through the communication line.

Art Unit: 2626

Regarding claim 8, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting and receiving data through a communication line. Sakakibara teaches of a reading portion (10) (column 2, lines 9-11), which reads on a scanner for reading an original document or image data. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of an image processing unit (20) (column 2, lines 12-15), which reads on a first data format transform unit for transforming input image data from the scanner into a facsimile applicable data format. Sakakibara teaches of a main control unit (60) that encodes or decodes image data and sends it to a card unit (140) (column 2, lines 27-35 and figure 1), which reads on a second data format transform unit for transforming the data format mutually between the facsimile applicable data format and a memory card accessible data format. Sakakibara teaches of a main control unit (60) that sends image data to the modem (90) and receives the data from reading portion (10) to send to the recording unit (40) (figure 1 and column 2, lines 9-48), which reads on a mode selector for sending the data issued from the first data format transform unit to the communication input and output unit in transmission mode, and feeding the data output from the first data format transform unit into the second data format transform unit in recording mode. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received through communication line. He teaches of a control and

Art Unit: 2626

display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in the data memory unit. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment, based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1). This reads on an input selector for selecting data to be stored in the memory card from data once stored in the data memory unit and transferring the data to the memory card.

Regarding claim 9, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting and receiving data through a communication line. Sakakibara teaches of a reading portion (10) (column 2, lines 9-11), which reads on a scanner for reading an original document or image data. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of an image processing unit (20) (column 2, lines 12-15), which reads on a first data format transform unit for transforming input image data from the scanner into a memory card accessible data format. Sakakibara teaches of a main control unit (60) that encodes or decodes image data and sends it to a card unit (140) (column 2, lines 27-35 and figure 1), which reads on a second data format transform unit for transforming the data format mutually between the facsimile applicable data

Art Unit: 2626

format and a memory card accessible data format. Sakakibara teaches of a main control unit (60) that sends image data to the modem (90) and receives the data from reading portion (10) to send to the recording unit (40) (figure 1 and column 2, lines 9-48), which reads on a mode selector for feeding the data output from the first data format transform unit to the second data format transform unit in transmission mode, and sending the data output from the first data format transform unit into the second data format transform unit in recording mode. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received through the communication line. He teaches of a control and display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in the data memory unit. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment, based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1). This reads on an input selector for selecting data to be stored in the memory card from data once stored in the data memory unit and transferring the data to the memory card.

Regarding claim 14, Sakakibara teaches that the main control unit (60) receives image data from the image processing unit (20) and sends the data to the modem (90) (figure 1 and column 2, lines 9-48), which reads on the mode selector further includes a transmission-record mode for feeding the data output from said first data format transform unit into the communication input and output unit and said second data format transform unit.

Art Unit: 2626

Regarding claim 15, Sakakibara teaches that the main control unit (60) receives image data from the image processing unit (20) and sends the data to the modem (90) (figure 1 and column 2, lines 9-48), which reads on the mode selector further includes a transmission-record mode for feeding the data output from said first data format transform unit into the communication input and output unit and said second data format transform unit.

Regarding claim 18, Sakakibara teaches of an IC card (column 2, lines 53-55), which reads on a nonvolatile memory card detachable from said facsimile apparatus.

Regarding claim 19, Sakakibara teaches of an IC card (column 2, lines 53-55), which reads on a nonvolatile memory card detachable from said facsimile apparatus.

Regarding claim 20, Sakakibara teaches of an IC card (column 2, lines 53-55), which reads on a nonvolatile memory card detachable from said facsimile apparatus.

Regarding claim 21, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting and receiving data through a communication line. Sakakibara teaches of a reading portion (10) (column 2, lines 9-11), which reads on a scanner for reading an original document or image data. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of an image processing

Art Unit: 2626

unit (20) (column 2, lines 12-15), which reads on a first data format transform unit for transforming input image data from the scanner into a memory card accessible data format. Sakakibara teaches of a main control unit (60) that encodes or decodes image data and sends it to a card unit (140) (column 2, lines 27-35 and figure 1), which reads on a second data format transform unit for transforming the data format mutually between the facsimile applicable data format and a memory card accessible data format. Sakakibara teaches of a main control unit (60) that sends image data to the modem (90) and receives the data from reading portion (10) to send to the recording unit (40) (figure 1 and column 2, lines 9-48), which reads on a mode selector for feeding the data output from the first data format transform unit to the second data format transform unit in transmission mode, and sending the data output from the first data format transform unit into the second data format transform unit in recording mode. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received through the communication line. He teaches of a control and display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in the data memory unit. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment, based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1). This reads on an input selector for selecting data to be stored in the memory card from data once stored in the data memory unit and transferring the data to the memory card.

Art Unit: 2626

Sakakibara fails to teach of the memory card is a copy-right protected memory card.

Yoshiyuki et al. teaches of a copy-right flash memory card (page 3, paragraph 0020), which reads on the memory card is a copy-right protected memory card.

2. Sakakibara could have been modified with the copy-right protected flash memory card of Yoshiyuki et al. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to protect stored image and data of the memory card.

Regarding claim 22, Sakakibara teaches that the main control unit (60) receives image data from the image processing unit (20) and sends the data to the modem (90) (figure 1 and column 2, lines 9-48), which reads on said mode selector further includes a transmission-record mode for feeding the data output from said first data format transform unit into the communication input and output unit and said second data format transform unit.

Regarding claim 23, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting and receiving data through a communication line. Sakakibara teaches of a reading portion (10) (column 2, lines 9-11), which reads on a scanner for reading an original document or image data. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of an image processing

Art Unit: 2626

unit (20) (column 2, lines 12-15), which reads on a first data format transform unit for transforming input image data from the scanner into a memory card accessible data format. Sakakibara teaches of a main control unit (60) that encodes or decodes image data and sends it to a card unit (140) (column 2, lines 27-35 and figure 1), which reads on a second data format transform unit for transforming the data format mutually between the facsimile applicable data format and a memory card accessible data format. Sakakibara teaches of a main control unit (60) that sends image data to the modem (90) and receives the data from reading portion (10) to send to the recording unit (40) (figure 1 and column 2, lines 9-48), which reads on a mode selector for feeding the data output from the first data format transform unit to the second data format transform unit in transmission mode, and sending the data output from the first data format transform unit into the second data format transform unit in recording mode. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received through the communication line. He teaches of a control and display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in the data memory unit. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment, based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1). This reads on an input selector for selecting data to be stored in the memory card from data once stored in the data memory unit and transferring the data to the memory card.

Art Unit: 2626

Sakakibara fails to teach of the memory card is a copy-right protected memory card.

Yoshiyuki et al. teaches of a copy-right flash memory card (page 3, paragraph 0020), which reads on the memory card is a copy-right protected memory card.

Regarding claim 24, Sakakibara teaches that the main control unit (60) receives image data from the image processing unit (20) and sends the data to the modem (90) (figure 1 and column 2, lines 9-48), which reads on said mode selector further includes a transmission-record mode for feeding the data output from said first data format transform unit into the communication input and output unit and said second data format transform unit.

Regarding claim 25, Sakakibara teaches of a modem (90) (column 2, lines 42-43), which reads on a communication input and output unit for transmitting and receiving data through a communication line. Sakakibara teaches of a memory (70) (column 2, lines 36-39), which reads on a data memory unit for storing data received in said communication input and output unit through the communication line. He teaches of a control and display portion (50) (column 2, lines 24-25), which reads on a display unit for displaying data reception information when data is stored in said data memory unit. Sakakibara teaches of a card unit (140) (column 2, lines 53-55), which reads on a memory card input and output unit for loading a memory card and capable of writing data into the memory card and reading data from the memory card. Sakakibara teaches of a main control unit (60), which controls the card unit (140) makes a judgment,

Art Unit: 2626

based on a read or write instruction used, to read or write information through the card unit (140) (column 2, lines 64-68 and column 3, lines 30-64 and figure 1).

This reads on an input selector for selecting data to be stored in the memory card from data once stored in said data memory unit and transferring the data to the memory card. Sakakibara teaches of a main control unit (60) that encodes or decodes image data (column 2, lines 27-35), which reads on a data format transform unit for transforming a data into an applicable format if the data received in said facsimile apparatus is not accessible to the memory card.

Regarding claim 26, Yoshiyuki et al. teaches of a copy-right flash memory card (page 3, paragraph 0020), which reads on the memory card is a copy-right protected memory card.

1. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakibara US 4900902 in view of Fujiki US 6542254.

Regarding claim 5, Sakakibara teaches of a main control unit (60) that encodes or decodes image data (column 2, lines 27-35), which reads on a data format transform unit for transforming a data into an applicable format if the data received in said facsimile apparatus is not accessible to the memory card.

Sakakibara fails to teach that the memory card accessible data format is JFIF (YCbCr color expression) data format of TIFF.

Art Unit: 2626

Fujiki teaches that the facsimile is able to convert image data into TIFF format (column 4, lines 42-45), which reads on the memory card accessible data format is JFIF (YCbCr color expression) data format of TIFF.

3. Sakakibara could have been modified by converting image data into TIFF format of Fujiki. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to store image onto a memory card.

Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

KA Williams

**KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER**

Michael Burleson
Patent Examiner
Art Unit 2626

MB

Art Unit: 2626

MIb

October 26, 2005